

3. That 60 days have passed and the Appeals Council has not elected to review the matter on its own motion and therefore the ALJ decision issued on August 31, 2007 is the final decision of the Commissioner.
4. That the Plaintiff has elected not to proceed on Counts II and III of her complaint pertaining to re-opening prior applications, and therefore moves to dismiss Counts II and III of her complaint.
5. The Plaintiff waives filing of a supplemental transcript by the Commissioner.
6. The Plaintiff brings this motion for judgment as a prerequisite to filing a motion for an award of attorney's fees pursuant to the Equal Access to Justice Act.

Respectfully Submitted,

PATRICIA L. JORDAN

BY: s/ Marcus J. Zarlengo

One of the plaintiff's attorneys

CERTIFICATE OF SERVICE

I hereby certify that on November 1, 2007 I electronically filed the above Motion for Judgment with the Clerk of the Court using the CM/ECF system.

s/ Marcus J. Zarlengo

Marcus J. Zarlengo
06287745
Hanson & Hanson, Attorneys at Law, P.C.
1802 North Division Street, Suite 304
P.O. Box 825
Morris, Illinois 60450
(815) 942-6700